## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT GREENEVILLE

	)	
United States of America,	)	
	)	
v.	)	Case No. 2:18-CR-86
	)	JUDGE JORDAN
Justin Christopher Smith,	)	•
	)	
Defendant.	)	

## MOTION FOR ISSUANCE OF WRIT OF HABEAS CORPUS AD TESTIFICANDUM

**Now comes** Defendant, Justin Christopher Smith, by and through counsel, and hereby moves this Honorable Court for the issuance of a Writ of Habeas Corpus Ad Testificandum for Carlos Lowe, an individual in the custody of the Washington County, TN Sheriff regarding the trial in this matter scheduled for November 27, 2018 at 9:00 a.m. In support of said Motion, Defendant states as follows:

- 1. The United States has previously requested the issuance of [Doc. 20] and had granted [Doc. 21] a writ for Carlos Lowe who is a material witness to the case.
- 2. In the event that the United States chooses in this matter to request to the Court that Carlos Lowe not be transported and brought before the Court for trial, the Defendant wishes to still have the opportunity to call Carlos Lowe as a witness at the trial in this matter.

3. The identity and location of the requested individual is as follows:

Mr. Carlos Lowe Washington County Detention Center 114 West Jackson Boulevard Jonesborough, TN 37659

Wherefore, Defendant respectfully prays as follows:

1. That the Court authorize the issuance of the requested writ and to have said writ served expeditiously at government expense via the United States Marshals Service,

and;

2. For such other, further, and general relief as to the Court appears just and proper.

Respectfully Submitted,

/s/ Joseph O. McAfee Joseph O. McAfee, BPR No.029291 McAfee & McAfee, PLLC 100 West Summer Street Greeneville, TN 37743 Phone: (423) 972-4391

Fax: (423) 972-4741

Email: joseph@mcafeeattorneys.com

Attorney for Defendant

MOTN1762CR.001-003.docx